

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**THEODORE WILLIAMS, LOCKETT
WILLIAMS MORTUARY, INC., RICKY
AUGUST, LASHA AUGUST, JONATHAN
AUGUST, RICHMOND-AUGUST FUNERAL
HOME, LLC, EDDIE HARTWELL, HARTWELL
& FAMILY FUNERAL HOME, LLC, ANTHONY
MARSHALL, GINA MARSHALL, MARSHALL
FUNERAL HOME, INC., PAMELA DICKY,
DICKY BROTHERS MEMORIAL FUNERAL
HOME, LLC, HELEN EVANS AND J. T. HALL
FUNERAL HOME, INC.**

PLAINTIFFS

V.

CIVIL ACTION NO. 1:16-CV-266-KS-MTP

**GARY HARGROVE, in his individual capacity
and his official capacity as CORONER OF
HARRISON COUNTY, Mississippi,
the HARRISON COUNTY BOARD OF SUPERVISORS,
UNKNOWN EMPLOYEES OF THE
CORONER OF HARRISON COUNTY,
UNKNOWN EMPLOYEES OF THE
HARRISON COUNTY BOARD OF SUPERVISORS, and
UNKNOWN EMPLOYEES OF HARRISON COUNTY**

DEFENDANTS

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

The Defendants, GARY HARGROVE, in his individual and official capacity as Coroner of Harrison County, HARRISON COUNTY, MISSISSIPPI and the BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, file this Motion for Summary Judgment, to-wit:

1. As is fully set forth in the accompanying Memorandum Brief in Support of Defendant Gary Hargrove's Motion for Summary Judgment, Defendant is entitled to summary judgment.

2. In support of his Motion for Summary Judgment, Defendant offers the following Exhibits attached hereto and incorporated herein by reference:

EXHIBIT “A” – Deposition Gary Hargrove (*Excerpts*)

EXHIBIT “B” – Deposition of Helen Evans (*Excerpts*)

EXHIBIT “C” – Invoice for Marshall’s Cooler

EXHIBIT “D” – Inspection Photographs of Marshall’s Crematorium

EXHIBIT “E” – Deposition of Canon Hospice, LLC (Beth Seymour)

EXHIBIT “F” – Depositions of Gentiva/Odyssey Hospice, Saad Hospice and St. Joseph Hospice

3. In support of his Motion for Summary Judgment, Defendant incorporates all arguments and authorities set forth in his accompanying Memorandum.

4. In further support of his dispositive Motion, Defendant incorporates all arguments and authorities set forth in his Motions and Supporting Memorandums to Exclude the Expert Testimony and Opinions of Plaintiffs’ Experts Richard T. Campbell, Ph.D. and John Gale, Ph.D.

WHEREFORE PREMISES CONSIDERED, the Defendant, GARY HARGROVE, moves the Court to grant summary judgment in his favor.

RESPECTFULLY SUBMITTED, this the 16th day of October, 2017.

GARY HARGROVE,
in his individual and official capacity

By: /s/ DANIEL T. SEAWELL (MSB# 105149)

And

HARRISON COUNTY BOARD OF
SUPERVISORS, and HARRISON COUNTY,
MISSISSIPPI, Defendants

By: /s/ Tim C. Holleman

CERTIFICATE OF SERVICE

I, Daniel T. Seawell, of the law firm Owen, Galloway, & Myers, P.L.L.C., do hereby certify that I have this date electronically filed the foregoing *DEFENDANTS' MOTION FOR SUMMARY JUDGMENT* with the Clerk of the Court using the ECF system, which served a copy to all counsel record.

SO CERTIFIED, this the 16th day of October, 2017.

/s/ DANIEL T. SEAWELL (MSB# 105149)

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